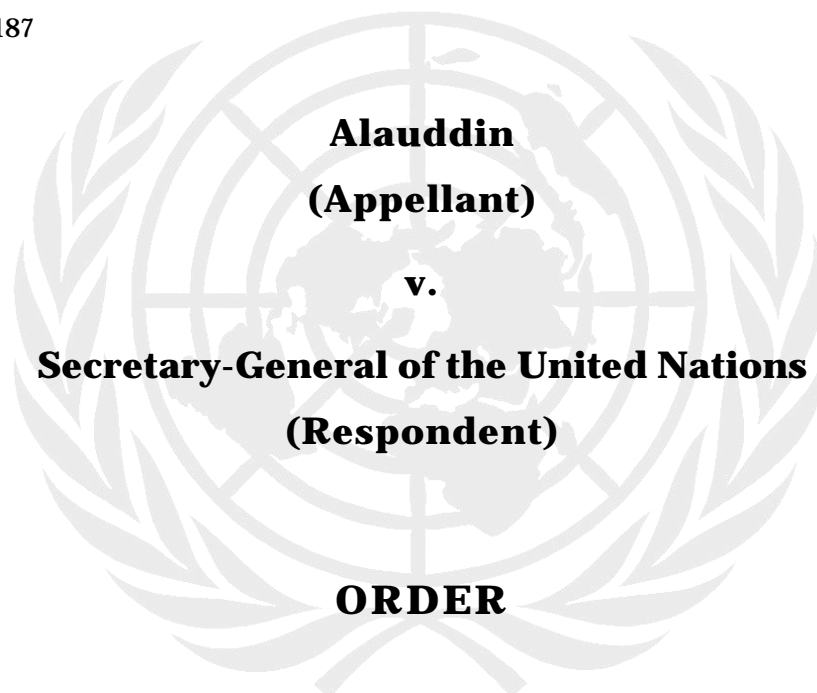




**UNITED NATIONS APPEALS TRIBUNAL
TRIBUNAL D'APPEL DES NATIONS UNIES**

Case No. 2010-187



**Alauddin
(Appellant)**

v.

**Secretary-General of the United Nations
(Respondent)**

ORDER

Before: Judge Mark P. Painter

Order No.: 31 (2011)

Date: 7 January 2011

Registrar: Weicheng Lin

Counsel for Appellant: Self-represented

REQUEST FOR EXTENSION OF TIME TO FILE APPEAL

1. On 19 November 2010, the United Nations Dispute Tribunal (Dispute Tribunal or UNDT) issued Judgment No. UNDT/2010/200, a translation of which, Arif Alauddin (Alauddin) submits, he received on 20 November 2010.¹

2. Under Article 7(1)(c) of the Appeals Tribunal's Statute (Statute), an appeal must be filed within 45 days of the receipt of the judgment of the Dispute Tribunal. Accordingly, the time-limit for filing an appeal in this case would have expired on 4 January 2011. But the President's Order dated 29 October 2010 provides that the Appeals Tribunal's "(j)udicial recess commences on Monday, 20 December [2010] and ends on Friday, 7 January 2011"; and that "[t]ime limits falling within this period shall be extended to Monday, 10 January 2011". The time limit for filing an appeal against Judgment No. UNDT/2010/200 therefore falls within the Appeals Tribunal's recess and is automatically extended until 10 January 2011.

3. On 4 January 2011, Alauddin filed a request for an extension of time of 20 additional days to file his appeal against the UNDT Judgment on the grounds that his counsel who had represented him before the UNDT would no longer represent him with respect to the appeal, and that he therefore had to find and retain a new counsel. He contends that he had identified such an attorney, but that he required additional time to familiarize himself with the history of the case and to prepare the appeal.

4. Article 7(3) of the Statute provides that "[t]he Appeals Tribunal may decide in writing, upon written request by the applicant, to suspend or waive the deadlines for a limited period of time and *only in exceptional circumstances*"². The Appeals Tribunal has repeatedly held that it "has been strictly enforcing, and will continue to strictly enforce, the various time limits".³

5. Alauddin was informed as early as 3 December 2010 that his previous counsel would no longer represent him, but waited until 4 January 2011 to identify a new counsel

¹ I note that there is no official translation of the UNDT Judgment on record.

² Emphasis added.

³ See *Bernadel v. Secretary-General of the United Nations*, Order No. 30 (2010); *Islam v. Secretary-General of the United Nations*, Order No. 7 (2010); *Mezoui v. Secretary-General of the United Nations*, Judgment No. 2010-UNAT-043.

and ask for an extension of time of 20 days. While I consider that his situation may warrant some leeway, I consider that the requested extension of 20 days is unreasonable.

ORDER

6. For the foregoing reason, I allow Alauddin's request for an extension of time, in part, and order an extension of 10 days to file his appeal, i.e. no later than 20 January 2011.

Dated this 7th day of January 2011 in Cincinnati, United States.

Original and authoritative version: English

(Signed)

Judge Painter, Duty Judge

Entered in the Register on this 7th day of January 2011 in New York, United States.

(Signed)

Weicheng Lin, Registrar